

SMALL GROUPS SUMMARY

July 15, 2003

Town Meeting

The following was transcribed by Northern Virginia Mediation Services

Green Group Issues

- Does the day laborers problem go beyond the city of Herndon? What are our responsibilities?
- Has the City Council, the Mayor and the Planning Commission explored all the options for site location. What about public lands and their availability?
- Why is the town of Herndon paying for this project? Have we explored other sources of funding?
- The day laborers problem is complex, but because of stereotyping it is being perceived as a problem of illegal immigrants and Hispanics. Is our perception and stereotyping limiting our ability to resolve this problem?
- Why is it that we cannot appreciate the contribution that is made by the day laborers?
- Have we really identified the problem? Should we be doing more studies and surveys to fully understand the multiple dimensions of the day laborers problem in Herndon?

Suggestions

- We must recognize that we have a problem and address it; doing nothing is not an option.
- We need to find constructive ways to incorporate these day laborers into the “legal economy” of the region. This must be done with support from neighboring localities.
- Whatever transitional site is established for these day laborers it must be done within the public domain.
- We need to establish a framework whereby decision like this one can be made transparently and in a manner that considers the nature of the problem and the domain of the town of Herndon as well as the moral convictions and values of the town of Herndon.
- We must find ways to cost-share in the project; the burden of the cost should be shared by the county, state and federal government.
- We need to identify “lessons learned” from nearby localities who have addressed this problem.
- The site should offer services that are relevant to the day laborer problems, but it should also provide a services package that is reflective of the needs of the diversity that exists in the town of Herndon.

Pink Group Issues

- Who are they? What do they do? What are they skilled at? What is their training? What is the most productive use of their time? How can Herndon make them the most productive citizens they can be? Has Herndon done a study to find out more about the day laborers?

- How are their wages determined? Why does the town want to subsidize low wage enthusiasts? How do low wages affect other areas of Herndon: area businesses, wages of other employees, the general economy? What is the tax status of day laborers?
- Will Herndon issue the day laborers business licenses? Will Herndon be liable for engaging in illegal activity if there are illegal immigrants being employed at the site? Why is the town of Herndon involved in this issue?
- Many Latinos nationwide are day laborers, this is not only an issue in Herndon. A permanent site would be beneficial for them and for the town of Herndon as well.
- The town of Herndon residents need to share customs and learn more about day laborers.
- Citizens are concerned about the foot traffic and the value of properties located in a historic area where the day laborers have a temporary site.
- Are there any possible alternatives to the proposed site? Is it possible to locate the site in a church?
- If there is no permanent site, what will happen then?
- What is the role of Fairfax County in the Herndon day laborer issue, both financially and otherwise? Does Fairfax County have a permanent day laborer pick up site? Are the people contracting the day laborers contributing financially to the site?
- Who is benefiting from the formation of a permanent site? Is the contractor going to receive benefits from the town or otherwise?
- Is there a code of conduct for day laborers? Citizens are concerned about littering and trash removal costs.

Dark Yellow Group

Issues

- Formal site will require documentation?
- Difficulty in determining legal status.
- Should be legal status.
- Why is legality important?
- Code of conduct – behaviors.
- Multiple sites (formal and informal)
- Monroe/Van Buren not the best sites – because it is residential.
- Contractors control where the laborers are.
- Concern over laborer's rights and welfare.
- Two separate issues? Legality and site.
- Need to reduce fear – how? Change is difficult- how to cope with? There a gap between older citizens and immigrants.
- There is fear factor.
- Has Home Depot in Reston been considered?
- Concern about trespassing/crossing through properties.
- Should town re-evaluate sites and put temporary site where permanent site is going to be?

- Considering that most laborers are walkers, also consider alternative forms of transportation.
- An organized site is desirable.
- Why aren't there more day laborers here tonight?
- Crime is issue – don't know to what degree related to site.
- Laborers want to work.
- Establishment of center will help facilitate enforcement of solicitation ordinance.
- Concern about homeless/transient day laborers/squatters.
- We need to identify whom we're talking about. This is our town – not “us” and “them”.
- Concern about the number of occupants in households.
- How to get day laborers involved/address fear/bridge gap.

Suggestions

- Consider negotiating with “Home Depot” in Reston to allow day laborers to cue up in one corner of their lot. This is a ‘contractor’ oriented business and it might be more convenient for all.
- One additional factor to consider is that most of the day laborers seem to walk as their primary transportation. Establishing a shuttle service to and from the pick up site is something that can be done. Also, the establishment of a center will facilitate the enforcement of the “anti-solicitation and anti-loitering ordinances”.

Light Yellow Group

Issues

- A laborer site is a good idea, needs regulation.
- The tax issue goes both ways, laborers don't pay income taxes, and their employers pay them in cash and therefore do not fulfill their obligations
- It is important not to be motivated by prejudice against Hispanics in the setting up of a site
- Reston Interfaith is ready to help but first wants people to listen to each other and agree on what to do
- Real estate near a proposed site was already negatively impacted
- A pilot project, with clear ending dates, should be tried
- There's ignorance about day laborers, legal and illegal, petty criminals etc. Important to understand better who the population is made up of.
- It is important to develop a model day laborer program, otherwise things will get worse because of demographics, the problem is growing.
- Integrate laborers into the community in a healthy way, not only a site but find out their needs and ways of integration
- Will a day laborer site have a positive or negative impact on the crime rate?
- Need to go back to the information generated in a community study of two summers ago, the work took months and had wide participation, including laborers.

Dark Blue Group

Issues

- The issue of town liability was raised. If anything was to happen and someone were to sue for damages would the town, and ultimately the taxpayer, be liable? Would the town and taxpayer be liable either criminally or otherwise (economically or legally)?
- There were some people in the group who felt the decision making process was faulty. There was the feeling that the decision to make the day labor center had already been taken and that people had no say in the matter.
- There was concern about locating the center in a residential area.
- There was concern about sanitation around the area. A woman who lives near the center now talked about finding Hispanic men micturating and defecating on her lawn.
- There was concern for individual security. Security concerns can be subdivided to a certain extent.
- There were those who linked the presence of the day laborers to a drop in the level of security they felt in their neighborhoods and even their homes.
- Evening security. People felt that the presence of the day laborers made their living environments insecure during the evening hours. The fear caused by the insecurity has made people feel that their freedom of movement throughout their neighborhood has been restricted.
- Gender security. Large groups of men congregating together make it psychologically difficult for women to pass by. Regardless of the rate of actual criminal incidents, *the perception and threat* of danger is enough to remove people's sense of security.
- Alcohol consumption. Some participants suggested that day laborers who don't find work turn to alcohol and become a nuisance and, in the worst of cases, a threat to those around them.
- Intercultural communication was an issue that some people linked to the security problem, particularly the gender insecurity problem. If a woman is walking in front of a large group of men and doesn't understand what they are saying and they don't speak English then fear is bred out of simple misunderstanding.
- The adequacy of the police force was brought into question. Some Herndon residents wondered if there were enough police relative to the needs of the community, relative specifically to the day laborer issue but also at a general level.
- There were those who thought it was important to make the distinction between the problems caused by day laborers and petty criminals. It was pointed out that because there is some cross over between miscreants and day laborers that the entire day laborer population was being mischaracterized as troublemakers.
- People wanted to include the day laborers in the discussion of the day labor center to explore and understand their needs.
- There was concern that a day labor site would create a sanctioned "gray" labor site at which contractors could hire low waged worker with no benefits and bad working conditions. The result would not favor the day laborers, the public or the other taxpayers in the community.
- There was concern that illegal workers were taking jobs from young people who wanted the jobs that the illegal were taking, discrediting the myth that day laborers were taking jobs that nobody wanted anyway.

- It was pointed out that many of the problems people associate with the day laborers arise from the fact that the system is not regulated. It was then suggested that with a little regulation and oversight that many of the problems associated with day laborers would dissipate.

Suggestions

- Reston interfaith should check the legal status of the laborers and verify their paperwork.
- The location of the center should be at a police station or at an industrial park.
- Alcohol sales and consumption should be prohibited at the new center.
- The new center should provide English Language classes and life skills classes as well.
- Some body should determine the legal status of the workers.
- Wherever the new center is, it should be regulated in such a way that prevents the problems presently facing the community.

Teal Group

Issues

- There will be a deterioration of the values and standards of living in Herndon (2 comments)
- The Town's pain needs to be dissipated
- The proposed solution is not sufficiently thought out
- Opposition to the proposal doesn't indicate bigotry/anti-immigration; it simply means that the proposal is not workable
- It will mean an increase taxes and a decrease property values (2 comments)
- It takes jobs away from tax-paying town citizens
- It diverts Town funds from other needed project
- There is a fear for personal safety (2 comments)
- It causes/will cause littering
- It causes/will cause too much noise
- It causes/will cause too much congestion on the bike path/neighborhood
- Creation of the proposal did/does not follow civil process
- The Town is not "playing" by the immigration rules (2 comments)
- Creation of this Site condones a hiring practice that is not legal
- The Site means that the town/county/state are not enforcing existing immigration laws

Suggestions

- There was a suspicion that this "temporary" solution will quickly become permanent
- There was a concern that this "temporary" solution will quickly not be sufficient to meet needs
- How about replacing the site with a registry in the paper that lists, by day laborer's name, address and phone number, the work they want to do?
- The Town should find out what solutions other communities in the same situation came up with
- The Town needs to pay more attention to the process and less to the outcome
- There needs to be an agreed-to visioning process

- What are the Town and its residents going to do for day-laborers if the answer to this proposal is “No”?
- Get the facts before deciding
- Find a less intrusive site
- Develop a creative visioning that will maintain community values while accommodating new residents

Light Blue Group

Issues:

- Neighbor's safety
- Immigration laws enforcement
- Impact on the Real State Values
- Equality of treatment under the law
- Increase of day laborers from other towns migrating to Herndon
- Outside Herndon organizations influencing the town's decisions
- How to enforce immigration laws?
- Lack of vote from the citizens
- Undermining of current American employment systems.
- How to keep a minimum level of Human Dignity?
- There is a big level of fear.
- There is a big lack of trust.
- Mingling of issues.
- Quality and use of community resources such as hospitals
- Where is it going to be located
- For how long is it going to operate?
- Who will establish and enforce the rules for it?
- Who is paying for it?
- How is it going to be establish the legality of the laborers
- What are the operation hours?
- How safety on and around the site is going to be guaranteed?
- Behavior of the laborers.
- How the laborers will have a guarantee of promise of payment?

Suggestions

- The site is needed.
- Give ID's to the laborers.
- Understand the Day Laborers issue with in the global context.
- Offer training services in the site.
- Solve the problem that need to be solved and not include or try to solve all the town's problems.

Purple Group

Issues:

- Concern expressed that the Town is asking not "whether" to set up a day laborer site, but only "how" to do so.
- This issue is not a local issue, but a national one, and should be addressed at that level, by the national (federal) agencies that have authority to handle it.
- Public funds should not be used to encourage people without work papers to (a) work illegally, and (b) come to Herndon to find illegal work.
- Concern that setting up a day laborer site in Herndon would hurt Herndon residents who are day laborers' as others from outside Herndon might come to the site to find work, and those who live in Herndon would still be without employment.
- Concern that there are other groups of workers in a range of professions that have needs, which the Town is not addressing.
- Belief that a day laborer site is a realistic means of meeting a range of needs: providing a tax base; ensuring employers will pay laborers; bridging the language barrier between potential employers (who speak English, not Spanish) and laborers (who speak Spanish, not English).
- Belief that a regulated system will help ensure laborers are paid (since some are currently not paid), and paid a fair wage, which will help address the social problems that result when families depend on wage-earners who are earning sub-standard wages.
- Belief that if site were linked to available services, immigrants would have the means to learn English and become fully-contributing members of the community.
- Support was voiced for a privately-funded/non-profit-sponsored, regulated, structured system that would screen workers interested in day laborer work. Several participants suggested that this would separate more general social/nuisance problems in the community from the issues linked directly to day laborers.
- Concern that a day laborer site is being offered as a cure for a broad range of issues. Some participants urged that the Town be frank about the limitations of this proposal (i.e., it will be a more organized, structured way for laborers and workers to connect, but it won't end public drunkenness or inappropriate public behavior). It was noted that illegal sites may still crop up. There was a suggestion that additional problems be solved as they emerge.
- Concern that native Spanish-speakers hadn't yet learned English. There was some discussion that this was in part because of fears -justified or unjustified - of the consequences of accessing available English courses.
- Participants questioned who could ask workers about their legal status. Several participants noted that they had hired laborers in the past without checking for work papers.

Suggestions:

- Several suggestions emerged about establishing the site, including asking day laborers to volunteer time to help construct any needed facilities, and funding the program with a charge to employers using the site.

Red Group Issues:

- There were 2 people who expressed wanting to listen and learn more about the problem of day laborer.
- How did we get where we are? Everyone should be able to seek employment. Day laborers do not get treated with dignity.
- Where do we go from here – from the interim /location for the pick up site? It is good to have the temporary location that is not on private or residential site. What happen next? What is the best location? The NCR site for day laborer can provide needed skills and education to go beyond here including medical attention.
- Expression of not understanding the shock, fear, rage that are attached to laborer pick up site. We need to find ways to deal with the emotion. Want safety, and preserve dignity for all. That diversity is good – need to respect each other. Concern with quality of life issues.
- Issue of overcrowding in dwellings and neighborhood and that it is substandard quality of life issues, related to wages of day laborer.
- The current pick up site has a bad curb appeal for the town. He would come with his truck and 15 people would jump in front of the truck competing for the pick up. It is a feeding frenzy that scares people. There needs to be coordinating efforts so that skills can be matched. Should create a tax based, legitimizing contractors and workers.
- How can the city limit people in housing and the community? There are ordinances that limit crowding. Warnings are out there on the streets that prohibit fixing cars in parking and still there people working on cars in the parking lot. What to do when there is no respect for the law?
- One participant expressed shock with the lack of civility in the beginning of the town meeting.
- Acknowledged the need to do something about the current issue of day laborer. These people are not going away – they are needed to do such labor otherwise not get done.
- Contractors should be held liable for not paying insurance and exploiting cheap labor. Need to make seeking employment a dignified process.
- The proposal is good, the issue is how to keep the site organized? What won't prevent other sites from propping up? Are we simply moving the problem and creating official and unofficial sites.
- Concern about traffics and congestions.

